

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC., )  
)  
Plaintiff, )  
) Case No.  
vs. ) 5:14-cv-05344-BLF (PSG)  
)  
ARISTA NETWORKS, INC., )  
)  
Defendant. )  
\_\_\_\_\_)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF KIRK LOUGHEED  
Palo Alto, California  
Friday, November 20, 2015  
Volume I

Reported by:  
CARLA SOARES  
CSR No. 5908  
Job No. 2187110  
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ARISTA NETWORKS, INC., )  
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VIDEOTAPED DEPOSITION OF KIRK LOUGHEED,  
Volume I, taken on behalf of Defendant, at  
650 Page Mill Road, Palo Alto, California, beginning  
at 9:19 a.m., and ending at 6:15 p.m., on Friday,  
November 20, 2015, before CARLA SOARES, Certified  
Shorthand Reporter No. 5908.

1 Van Nest representing the defendant Arista Networks. 09:20:06  
2 MR. WONG: Ryan Wong from Keker & Van Nest  
3 representing Arista Networks.  
4 MR. NEUKOM: John Neukom representing  
5 Cisco and also the witness. 09:20:16  
6 MR. SIMMONS: Joshua Simmons from Kirkland  
7 & Ellis representing Cisco and the witness.  
8 THE VIDEO OPERATOR: Thank you.  
9 Will the certified court reporter please  
10 swear in the witness. 09:20:23  
11 KIRK LOUGHEED,  
12 having been administered an oath, was examined and  
13 testified as follows:  
14 THE VIDEO OPERATOR: Thank you.  
15 Counsel? 09:20:34  
16 EXAMINATION  
17 BY MR. FERRALL:  
18 Q Please state your full name.  
19 A Kirk Stewart Lougheed.  
20 Q What's your address, Mr. Lougheed? 09:20:39  
21 A My personal address?  
22 Q Yes, please.  
23 A 18691 Casablanca Lane in Saratoga.  
24 Q Have you ever sat for a deposition before?  
25 A Once. 09:20:55

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1 BY MR. FERRALL: 15:38:30

2 Q Okay. IBM didn't ask you for permission,

3 either, correct?

4 A No.

5 Q One of the CLI terms in this case is the 15:39:20

6 term "IP address."

7 Are you familiar with that?

8 A I'm familiar with the command expression

9 "IP address."

10 Q Did you come up with the phrase "IP 15:39:33

11 address"?

12 A When Cisco came out of Stanford, we were

13 shipping an IP -- an Internet protocol only router.

14 And there was a command "address" that took some

15 arguments. 15:40:12

16 And after -- after a while, we started

17 adding other protocols to the software. The first

18 one was "DECnet." And since "address" was already

19 taken to refer to IP functionality, Internet

20 protocol functionality, we came up with "DECnet 15:40:44

21 address," and then had a DECnet address after it.

22 That "DECnet address" command could have

23 very well have said "address," and then DECnet

24 addresses look different than IP addresses, and we

25 could have had the software figure out which type of 15:41:11

1 address we were referring to. But we chose "DECnet 15:41:13  
2 address."

3 It became clear that much more -- that we  
4 were becoming a multi-protocol router. We were  
5 adding other protocols into the box, into the 15:41:27  
6 software.

7 And I had -- I value -- I value the  
8 aesthetic of having a symmetric-looking command line  
9 expression, symmetric hierarchy. It was clear we  
10 were heading towards a hierarchy. 15:41:52

11 So at some point after DECnet and perhaps  
12 a few other protocols to make things look very  
13 similar, we started prefacing our IP-only commands  
14 with "IP." And that gave a very -- what I thought  
15 was a very elegant, symmetric, elegant way of 15:42:16  
16 referring to different protocols within a  
17 multi-protocol router.

18 So that is the history of the "IP address"  
19 command.

20 Q Okay. My question was simpler. I 15:42:36  
21 appreciate that answer. But my question was a  
22 little simpler than that, but let me ask it a  
23 different way.

24 You had heard of the term "IP address"  
25 before you joined Cisco, hadn't you? 15:42:51

1 MR. NEUKOM: Objection. Vague and asked 15:42:59  
2 and answered.

3 THE WITNESS: I suppose I had. When one  
4 is talking about different networking protocols, one  
5 needs to clarify which networking protocol one is 15:43:10  
6 talking about. So it was probably terminology that  
7 was in the air.

8 BY MR. FERRALL:

9 Q Does the same go for "IP host," also? You  
10 had heard that before you joined Cisco? 15:43:29

11 MR. NEUKOM: Objection. Misstates prior  
12 testimony.

13 THE WITNESS: The original form of the  
14 "host" command was just "host command." It was  
15 another one that had to distinguish, in a 15:43:41  
16 multi-protocol world, in a multi-protocol piece of  
17 software, what you were talking about.

18 It would have looked very odd in a  
19 multi-protocol router that there was one protocol  
20 that wasn't prefaced by a -- some descriptive 15:44:03  
21 keyword.

22 BY MR. FERRALL:

23 Q Following up on that, the purpose of your  
24 use of "IP" as the first keyword in that command "IP  
25 host" was to distinguish the protocol that it's 15:44:33

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1 referring to? 15:44:36

2 A That was the aesthetic choice I made.

3 MR. NEUKOM: Objection. Mischaracterizes

4 prior testimony.

5 THE WITNESS: There were many possible 15:44:49

6 ways of doing it. As I indicated, I could perhaps

7 take a look at an address and then infer what it

8 was. But that was not the choice that I made at the

9 time.

10 BY MR. FERRALL: 15:45:07

11 Q What were the alternative commands that

12 you considered for "IP host"?

13 A "Name." "Name" was certainly one of the

14 possible candidates. "Network system" or

15 "system" -- there are many, many words that one 15:45:51

16 could use to refer to all sorts of different things.

17 Q Okay. But now you're talking about

18 alternatives for the word "host," right?

19 A Um-hum.

20 Q Okay. You didn't -- you're not the first 15:46:08

21 one to use the word "host," are you?

22 A No.

23 Q I mean, "host" had been used for -- well

24 before you joined Cisco to refer to a computer host.

25 It's a conventional term, right? 15:46:29

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